

1 IRVIN L. SIMONS (182082)
2 LAW OFFICES OF ROBERT W. LYONS
3 295 West Winton Avenue
4 Hayward, California 94544
5 Telephone: (510) 782-6161
6 Facsimile: (510) 782-3519


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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,) Case No. : CR 08-00540 DLJ
)
Plaintiff,) ORDER RE: EXCLUSION OF THE
)
) TIME UNDER THE SPEEDY TRIAL
vs.)
) ACT [18 U.S.C. §3161]
)
JAMES SELZER,)
)
Defendant)

FOR THE REASONS SET FORTH ABOVE IN THE STIPULATION BETWEEN THE
PARTIES, IT IS HEREBY ORDERED that the time from June 26, 2009
to July 17, 2009 is hereby excluded from the time calculations
of the Speedy Trial Act, 18 U.S.C. §3161. The court finds the
time from June 26, 2009 to July 17, 2009 excludable from the
Speedy Trial Act requirements of Title 18, United States Code,
sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The court finds
that the time excludable in that the ends of justice served by
granting this continuance to July 17, 2009 outweigh the best
interests of the public and the defendant in an earlier trial
for the following reasons: the continuance will afford defense
counsel time to receive and review prior plea transcripts from
state court which have been ordered, but not yet received. This
will allow defendant time for further investigation and be

1 better prepared to proceed with plea agreement. For these
2 reasons, the court finds that a continuance to July 17, 2009 is
3 necessary to ensure both effective case preparation and
4 effective representation by defense counsel, and denial of such
5 a continuance would unreasonably deny defendant effective case
6 preparation and effective assistance of counsel pursuant to 18
7 U.S.C. §§3161 (h)(7)(A) and 3161 (h)(7)(B)(iv).

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10 DATE: June 25, 2009

11 
12 _____
13 D. Lowell Jensen
14 United States District Court Judge

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17 Dated this June 25, 2009

18 _____
19 Irvin Simons
20 Law Offices of Robert Lyons
21 295 W. Winton Ave.
22 Hayward, CA 94544
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